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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/681,293

10/09/2003

Rasheed Hosein

LIN940

9276

7590

05/27/2005

Sean A. Kaufhold
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EXAMINER

NGUYEN, HUNG T

ART UNIT

PAPER NUMBER

2636

DATE MAILED: 05/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/681,293

Examiner

Hung T. Nguyen

Applicant(s)

HOSEIN, RASHEED

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/9/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Proulx (U.S. 5,708,412).

Regarding claim 1, Proulx discloses a temperature warning indicator (26,44) for an engine of a vehicle [figs.1,4,6, col.3, lines 4-7 , col.4, lines 8-49 and col.5, lines 28-43] comprising:

- a heat sensor (15) for monitoring the engine is starting overheat [figs. 1,2,7, col.4, lines 29-49 and col.5, lines 28-49];
- electronic circuits includes a base unit communicates with the heat sensor (15) for controlling & detecting the engine is starting overheat [figs. 1,3,7, col.4, lines 11-34 col.5, lines 4-43];
- an audible signal (44) includes a speaker is inherently and visual signal / LED (26) are connected to the base unit, the heat sensor (15) to provide warning signals to driver operator whenever the engine is starting overheat [figs. 1,3,7, col.4, lines 11-34 and col.5, lines 4-43];
- power supply (10) is powering the electronic circuits includes a base unit communicates with the heat sensor (15) for controlling & detecting the engine is starting overheat [figs. 1,3,7, col.4, lines 11-34 col.5, lines 4-43].

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Proulx does not specifically mention “processor” is used in the temperature warning system as claimed by the applicant.

However, Proulx does teach the base unit communicates with the heat sensor (15) and does most of the data processing as monitoring the engine is starting overheat which can be set / adjusted the temperature warning system to provide an accurate and early warning if the ENGINE starts to **overheat** for any reason [figs. 1,3,7, col.3, lines 17-24, col.4, lines 11-34 col.5, lines 4-43].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the system of Proulx includes the base unit to process & detect the engine is overheat as temperature change above the normal operating temperature of the engine so that the driver can take action to stop the engine before any costly damage is done.

Regarding claim 2, Proulx discloses the visual signal / LED (26) is connected to the base unit, the heat sensor (15) to provide warning signals to driver operator whenever the engine is starting overheat [fig. 1, col.5, lines 28-43].

Regarding claims 3-4, Proulx discloses the temperature warning device includes the heat sensor (15,92) can be secured in a bolt, bracket mounting bolt (91) which is installed in the head of the engine for monitoring the heat of the engine [figs.1-4, col.4, lines 35-49 and col.8, lines 32-42].

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Regarding claim 5, Proulx discloses the temperature warning device includes the heat sensor (15,92) can be secured in a bolt, bracket mounting bolt (91) which is installed in the head of the engine for monitoring the heat of the engine [figs. 1-4, col.4, lines 35-49 and col.8, lines 32-42].

Proulx does not specifically mention the securing member is a magnet because that is not primary subject of the invention and that is an obvious design choice of the skilled artisan.

Regarding claim 6, Proulx discloses a temperature warning indicator (26,44) for an engine of a vehicle [figs. 1,4,6, col.3, lines 4-7 , col.4, lines 8-49 and col.5, lines 28-43] comprising:

- a heat sensor (15) for monitoring the engine is starting overheat [figs. 1,2,7, col.4, lines 29-49 and col.5, lines 28-49];
- electronic circuits includes a base unit communicates with the heat sensor (15) for controlling & detecting the engine is starting overheat [figs. 1,3,7, col.4, lines 11-34 col.5, lines 4-43];
- an audible signal (44) includes a speaker is inherently and visual signal / LED (26) are connected to the base unit, the heat sensor (15) to provide warning signals to driver operator whenever the engine is starting overheat [figs. 1,3,7, col.4, lines 11-34 and col.5, lines 4-43];
- the visual signal / LED (26) is connected to the base unit, the heat sensor (15) to provide warning signals to driver operator whenever the engine is starting overheat [fig. 1, col.5, lines 28-43].
- power supply (10) is powering the electronic circuits includes a base unit communicates with the heat sensor (15) for controlling & detecting the engine is starting overheat [figs. 1,3,7, col.4, lines 11-34 col.5, lines 4-43];

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- the temperature warning device includes the heat sensor (15,92) can be secured in a bolt, bracket mounting bolt (91) which is installed in the head of the engine for monitoring the heat of the engine [figs.1-4, col.4, lines 35-49 and col.8, lines 32-42].

Proulx does not specifically mention "processor" component and the securing member is a magnet as claimed by the applicant.

Proulx discloses the temperature warning device includes the heat sensor (15,92) can be secured in a bolt, bracket mounting bolt (91) which is installed in the head of the engine for monitoring the heat of the engine [figs.1-4, col.4, lines 35-49 and col.8, lines 32-42].

Proulx does not specifically mention the securing member is a magnet because that is not primary subject of the invention and that is an obvious design choice of the skilled artisan.

Furthermore, Proulx does teach the base unit communicates with the heat sensor (15) and does most of the data processing as monitoring the engine is starting overheat which can be set / adjusted the temperature warning system to provide an accurate and early warning if the ENGINE starts to **overheat** for any reason [figs. 1,3,7, col.3, lines 17-24, col.4, lines 11-34 col.5, lines 4-43].

Therefore, it would have been obvious to one having ordinary skill in the art to utilize the system of Proulx includes the base unit to process & detect the engine is overheat as temperature change above the normal operating temperature of the engine so that the driver can take action to stop the engine before any costly damage is done.

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Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- LaDue et al. (U.S. 4,074,672) Shutoff apparatus for internal combustion engines.
- Matsubara et al. (U.S. 5,024,534) Temperature sensor for use in a spark plug of an internal combustion engine.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (571) 272-2982.

The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass, Jeffery can be reached on (571) 272-2981. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

HUNG NGUYEN
PRIMARY EXAMINER



Examiner: Hung T. Nguyen

Date: May 25, 2005